

## **§ 54.01**

## **33 CFR Ch. I (7–1–01 Edition)**

### **§ 54.01 Purpose.**

This part prescribes procedures for State officials to notify the Coast Guard that a member on active duty is delinquent in meeting an obligation for child support alone, or both child and spousal support, in an amount equal to the support payable for two months or longer. Under 42 U.S.C. 665, an allotment may be taken from the pay and allowances of the member in this situation.

### **§ 54.03 Persons authorized to give notices.**

For the purpose of instituting an allotment under this part, notice that a Coast Guard member is delinquent in meeting support obligations may be given by:

(a) Any agent or attorney of any State having in effect a plan approved under Part D of Title IV of the Social Security Act (42 U.S.C. 651–664), who has the duty or authority to seek recovery of any amounts owed as child or child and spousal support, including any official of a political subdivision when authorized under a State plan.

(b) The court that has authority to issue an order against the member for the support and maintenance of a child, or any agent of that court.

### **§ 54.05 Form and contents of notice.**

(a) The notice required to institute an allotment under this part must be given in the form of a court order, letters, or other document issued by a person specified in § 54.03.

(b) The notice must:

(1) Provide the full name, social security number, and duty station of the member who owes the support obligation;

(2) Specify the amount of support due, and the period in which it has remained owing;

(3) Be accompanied by a certified copy of an order directing the payment of this support issued:

(i) By a court of competent jurisdiction, or;

(ii) In accordance with an administrative procedure which is established by State law, affords substantial due process, and is subject to judicial review;

(4) Provide the full name, social security number, and mailing address of the person to whom the allotment is to be paid;

(5) Identify the period in which the allotment is to remain in effect; and

(6) Identify the name and birth date of all children for whom support is to be provided under the allotment.

(c) Each notice must be accompanied by the following information:

(1) For each administrative order, a copy of all provisions of state law governing its issuance.

(2) For each court order and for each administrative order, if not stated in the support order:

(i) An explanation as to how personal jurisdiction was obtained over the member; and

(ii) A statement on the age of majority in the state law, with appropriate legal citations.

### **§ 54.07 Service of notice upon designated Coast Guard official.**

The notice and all accompanying documentation must be sent to Commanding Officer, Coast Guard Human Resources Service and Information Center, Federal Building, 444 S.E. Quincy Street, Topeka, KS 66683–3591, telephone 785–339–3595, facsimile 785–339–3788.

[CGD 82–109, 48 FR 4285, Jan. 31, 1983, as amended by CGD 88–052, 53 FR 25119, July 1, 1988; CGD 97–023, 62 FR 33362, June 19, 1997; USCG–2001–9286, 66 FR 33639, June 25, 2001]

## **PART 55—CHILD DEVELOPMENT SERVICES**

### **Subpart A—General**

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